

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BERISH BERGER,
KILBRIDE INVESTMENTS LIMITED,
BUSYSTORE LIMITED IN
LIQUIDATION,
TOWERSTATES LIMITED,
BERGFELD CO. LIMITED, and
ARDENLINK LIMITED,
Plaintiffs,**

v.

**CUSHMAN & WAKEFIELD OF
PENNSYLVANIA, INC.,
BLANK ROME LLP, and
COZEN O'CONNOR, P.C.,
Defendants,**

and

**CUSHMAN & WAKEFIELD OF
PENNSYLVANIA, INC.,
Third Party Plaintiff,**

v.

**CHAIM ZEV LEIFER,
HASKEL KISH and
JFK BLVD. ACQUISITION G.P., LLC,
Third Party Defendants.**

CIVIL ACTION

NO. 13-5195

ORDER

AND NOW, this 10th day of March, 2016, upon consideration of Third-Party Defendant's, JFK Blvd Acquisition GP, LLC, Motion to Dismiss Third-Party Complaint Filed By Cushdman [sic] And Wakefield Pursuant to F.R.Civ. P. 12(b)(1) and (6) (Document No. 64, filed September 14, 2015) and Third-Party Defendant [sic] Cushman & Wakefield of Pennsylvania, Inc.'s Opposition to Third-Party Plaintiff [sic] JFK Blvd Acquisition GP, LLC's Motion to Dismiss the Third-Party Complaint (Document No. 67, filed October 2, 2015), for the

reasons set forth in the Court's Memorandum dated March 10, 2016, **IT IS ORDERED** that Third-Party Defendant's Motion to Dismiss Third-Party Complaint is **DENIED WITHOUT PREJUDICE** to third-party defendant JFK Blvd Acquisition GP, LLC's right to address appropriate issues by motion for summary judgment and/or at trial.

IT IS FURTHER ORDERED that a telephone conference for the purpose of scheduling further proceedings will be conducted in due course.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.